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CAPLIN & DRYSDALE, CHARTERED
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Co-Counsel for the Official Committee of Asbestos Claimants

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:	:	Chapter 11
	:	
DURO DYNE NATIONAL CORP., <i>et al.</i> , ¹	:	Case No. 18-27963-MBK
	:	
Debtors.	:	(Jointly Administered)
	:	

**TWELFTH MONTHLY FEE STATEMENT OF
CAPLIN & DRYSDALE, CHARTERED FOR THE PERIOD
FROM OCTOBER 1, 2019, THROUGH OCTOBER 31, 2019**

Caplin & Drysdale, Chartered (“**Caplin & Drysdale**” or the “**Applicant**”), counsel for the Official Committee of Asbestos Claimants (the “**Committee**”), hereby submits this twelfth monthly fee statement² for the period commencing October 1, 2019, through October 31, 2019 (the “**Twelfth Fee Statement**”) pursuant to the *Administrative Fee Order Establishing Certain Procedures for Allowance of Interim Compensation and Reimbursement of Expenses of Professionals Retained by Order of this Court*, dated December 18, 2018 (Docket No. 345) (the “**Interim Compensation Order**”).

¹ The “**Debtors**” in these chapter 11 cases, along with the last four digits of each Debtor’s tax identification number, are Duro Dyne National Corp. (4664), Duro Dyne Machinery Corp. (9699), Duro Dyne Corporation (3616), Duro Dyne West Corp. (5943), and Duro Dyne Midwest Corp. (4662).

² Caplin & Drysdale’s first monthly fee statement was also filed as an interim fee application under the title *First Interim Fee Application of Caplin & Drysdale, Chartered for Allowance of Fees and Reimbursement of Expenses* on December 14, 2018 (Docket No. 337).

Pursuant to the Interim Compensation Order, responses to the Twelfth Fee Statement, if any, are due by December 5, 2019.

Dated: November 25, 2019

By: /s/ James P. Wehner

James P. Wehner, Esq. (admitted *pro hac vice*)

Jeffrey A. Liesemer, Esq. (admitted *pro hac vice*)

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*Counsel to the Official Committee of Asbestos
Claimants*

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

D.N.J. LBR 2016-1, FEE APPLICATION COVER SHEET

Debtor: Duro Dyne National Corp., et al.¹ Applicant: Caplin & Drysdale, Chartered
Case No.: 18-27963 (MBK) Client: Official Committee of
Asbestos Claimants
Chapter: 11 Case Filed: September 7, 2018

COMPLETION AND SIGNING OF THIS FORM CONSTITUTES A CERTIFICATION
UNDER PENALTY OF PERJURY, PURSUANT TO 28 U.S.C. SECTION 1746

RETENTION ORDER(S) ATTACHED AS EXHIBIT B

**TWELFTH MONTHLY FEE STATEMENT² OF
CAPLIN & DRYSDALE, CHARTERED FOR THE PERIOD
FROM OCTOBER 1, 2019, THROUGH OCTOBER 31, 2019**

**SECTION 1
FEE SUMMARY**

	<u>FEES</u>	<u>EXPENSES</u>
TOTAL PREVIOUSLY REQUESTED	\$ <u>1,592,659.00</u>	\$ <u>28,419.49</u>
TOTAL ALLOWED TO DATE	\$ <u>1,449,400.00</u>	\$ <u>25,416.32</u>
TOTAL RETAINER (IF APPLICABLE)	\$ <u>0.00</u>	\$ <u>0.00</u>
TOTAL HOLDBACK (IF APPLICABLE)	\$ <u>28,651.80</u>	\$ <u>0.00</u>
TOTAL RECEIVED BY APPLICANT	\$ <u>1,449,400.00</u>	\$ <u>25,416.32</u>
 FEE TOTALS –PAGE 2	 \$ <u>11,884.50</u>	
DISBURSEMENTS TOTALS – PAGE 3	\$ <u>966.78</u>	
TOTAL FEE APPLICATION	\$ <u>12,851.28</u>	
MINUS 20% HOLDBACK	\$ <u>2,376.90</u>	
AMOUNT SOUGHT AT THIS TIME	\$ <u>10,474.38</u>	

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² Caplin & Drysdale’s first monthly fee statement was also filed as an interim fee application under the title *First Interim Fee Application of Caplin & Drysdale, Chartered for Allowance of Fees and Reimbursement of Expenses* on December 14, 2018 (Docket No. 337).

NAME OF PROFESSIONAL & TITLE	YEAR ADMITTED	HOURS	RATE	FEES
Kevin C. Maclay, Member	1994	0.5	\$775	\$387.50
James P. Wehner, Member	1995	6.2	\$735	\$4,557.00
Jeffrey A. Liesemer, Member	1993	7.3	\$735	\$5,365.50
Cecilia Guerrero, Paralegal	N/A	4.5	\$325	\$1,462.50
Brigette A. Wolverton, Paralegal	N/A	0.4	\$280	\$112.00
TOTAL FEES		18.9		\$11,884.50
ATTORNEY BLENDED RATE			\$628.81	

SECTION II
SUMMARY OF SERVICES

SERVICES RENDERED	HOURS	FEE
(.01) Asset Analysis and Recovery	0.0	\$0.00
(.03) Business Operations	0.0	\$0.00
(.04) Case Administration	0.6	\$195.00
(.05) Claims Administration and Objections	0.0	\$0.00
(.07) Fee Applications-Self	4.6	\$1,782.00
(.09) Financing	0.0	\$0.00
(.10) Litigation	8.5	\$6,267.50
(.11) Plan and Disclosure Statement	4.1	\$3,013.50
(.12) Relief from Stay Proceedings	0.0	\$0.00
(.13) Tax Issues	0.0	\$0.00
(.15) Committee Meetings/Conferences	0.7	\$514.50
(.16) Travel Time	0.0	\$0.00
(.17) Docket Review & File Maintenance	0.4	\$112.00
(.18) Fee Applications-Others	0.0	\$0.00
(.19) Retention Applications-Others	0.0	\$0.00
(.20) Retention Applications-Self	0.0	\$0.00
(.22) Review Fee Application-Other Parties	0.0	\$0.00
SERVICE TOTALS:	18.9	\$11,884.50

**SECTION III
SUMMARY OF DISBURSEMENTS**

DISBURSEMENTS	AMOUNT
Computer Assisted Legal Research	\$170.80
Conference Call Charges	\$0.00
Courier & Express Carriers	\$0.00
Court Reporting	\$0.00
Fax	\$0.00
Filing Fees	\$0.00
Other Research	\$0.00
Pacer Fees	\$794.40
Postage	\$0.00
Reproduction Services - In-house	\$0.00
Reproduction Services - Outside	\$0.00
Travel	\$0.00
Other (specify): eDiscovery	\$1.58
DISBURSEMENTS TOTAL:	\$966.78

**SECTION IV
CASE HISTORY**

(NOTE: Items 3 - 6 are not applicable to applications under 11 U.S.C. § 506)

- (1) DATE CASE FILED: September 7, 2018
- (2) CHAPTER UNDER WHICH CASE WAS COMMENCED: 11
- (3) DATE OF RETENTION: November 8, 2018, effective as of September 26, 2018 [Docket No. 258]. *See* Order attached.
- (4) SUMMARIZE IN BRIEF THE BENEFITS TO THE ESTATE AND ATTACH SUPPLEMENTS AS NEEDED:
 - a) Caplin & Drysdale analyzed appellate issues related to the Plan;
 - b) Caplin & Drysdale researched and drafted pleadings regarding relief from stay;
 - c) Caplin & Drysdale spent time communicating with Committee members and preparing memoranda and other materials for Committee members;
 - d) Caplin & Drysdale prepared and filed fee applications;
 - e) Caplin & Drysdale assisted in the preparation of fee applications for other Committee professionals;

- f) Caplin & Drysdale spent time working with counsel for the other Plan proponents and internally on general case matters, and status issues, as well as organizing and maintaining the case filing system and docket review for the bankruptcy case;
 - g) Caplin & Drysdale performed other professional services as counsel for the Committee as necessary and appropriate in these chapter 11 cases.
- (5) ANTICIPATED DISTRIBUTION TO CREDITORS:
- (A) ADMINISTRATION EXPENSES: (unknown at this time)
 - (B) SECURED CREDITORS: (unknown at this time)
 - (C) PRIORITY CREDITORS: (unknown at this time)
 - (D) GENERAL UNSECURED CREDITORS: (unknown at this time)
- (6) FINAL DISPOSITION OF CASE AND PERCENTAGE OF DIVIDEND PAID TO CREDITORS (IF APPLICABLE): Final disposition of case and dividend are unknown at this time.

I certify under penalty of perjury that the above is true.

Date: November 25, 2019

/s/ James P. Wehner
Signature

EXHIBIT

A



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Official Committee of Asbestos Claimants of Duro Dyne National

November 18, 2019

Invoice #: 323361

Page: 1

RE: Duro Dyne Bankruptcy

For Professional Services Rendered Through October 31, 2019

SERVICES

Date	Person	Description of Services	Hours	Rate	Amount
.04 Case Administration & Calendar Control					
10/17/2019	CG	Update docketing calendar.	0.2	\$325.00	\$65.00
10/24/2019	CG	Review recent filings and update docketing calendar.	0.4	\$325.00	\$130.00
Total			0.60		\$195.00
.07 Fee Applications-Self					
10/6/2019	CG	Review monthly.	0.2	\$325.00	\$65.00
10/23/2019	JPW	Review monthly.	0.3	\$735.00	\$220.50
10/23/2019	CG	Review and revise monthly.	1.9	\$325.00	\$617.50
10/24/2019	JPW	Review monthly.	0.4	\$735.00	\$294.00
10/24/2019	CG	Review, revise, and finalize monthly fee statement and accompanying exhibits (1.7); communication w/ local counsel re same (.1).	1.8	\$325.00	\$585.00
Total			4.60		\$1,782.00
.10 Litigation					
10/2/2019	JPW	Teleconference J. Sinclair re MOR issues.	0.3	\$735.00	\$220.50
10/3/2019	JAL	Review and analysis of District Court's decision affirming FCR appointment.	1.1	\$735.00	\$808.50
10/4/2019	JAL	Drafted and revised email to K. Quinn re lift-stay motion (0.2); finalizing of lift-stay motion and send to local counsel for filing (0.9).	1.1	\$735.00	\$808.50
10/8/2019	JPW	Emails re motion.	0.4	\$735.00	\$294.00

SERVICES

Date	Person	Description of Services	Hours	Rate	Amount
.10 Litigation					
10/9/2019	JAL	Teleconference re G. Calhoun, JPW, KCM, and S. Kohut re North River's inquiries re lift-stay motion (0.2); office conference with JPW and KCM re lift-stay motion and next steps (0.3).	0.5	\$735.00	\$367.50
10/9/2019	JPW	Teleconference G. Calhoun, JAL, KCM, and S. Kohut re motion (0.2); meet with KCM, JAL re motion (0.3).	0.5	\$735.00	\$367.50
10/9/2019	KCM	Meet with JPW and JAL re lift stay.	0.3	\$775.00	\$232.50
10/9/2019	KCM	Teleconference with G. Calhoun, special insurance counsel, JPW and JAL re lift stay motion.	0.2	\$775.00	\$155.00
10/31/2019	JAL	Review and analysis of North River's opposition to lift-stay motion (0.2); review and comments on draft reply to North River's opposition to lift-stay motion (0.4).	0.6	\$735.00	\$441.00
10/31/2019	JPW	Review opposition (1.0); draft Reply (2.0); emails re reply (0.5).	3.5	\$735.00	\$2,572.50
Total			8.50		\$6,267.50
.11 Plan & Disclosure Statement					
10/3/2019	JPW	Teleconference J. Prol re case issues.	0.2	\$735.00	\$147.00
10/23/2019	JAL	Review and analysis of Debtors' motion to reject executory contracts and unexpired leases.	0.7	\$735.00	\$514.50
10/29/2019	JPW	Emails re Duro Dyne issues.	0.6	\$735.00	\$441.00
10/31/2019	JAL	Review and analysis of materials re plan-related insurance issues.	2.6	\$735.00	\$1,911.00
Total			4.10		\$3,013.50
.15 Committee Meetings/Conferences					
10/4/2019	JAL	Drafted and revised memo to Committee.	0.7	\$735.00	\$514.50
Total			0.70		\$514.50
.17 Docket Review & File Maintenance					
10/31/2019	BAW	Conduct docket research, review and select pleadings and update records.	0.4	\$280.00	\$112.00
Total			0.40		\$112.00
Total Professional Services			18.9		\$11,884.50

PERSON RECAP

Person	Title	Hours	Rate	Amount
JAL	Jeffrey A. Liesemer	7.3	\$735.00	\$5,365.50
KCM	Kevin C. Maclay	0.5	\$775.00	\$387.50
JPW	James P. Wehner	6.2	\$735.00	\$4,557.00

PERSON RECAP

Person		Title	Hours	Rate	Amount
CG	Cecilia Guerrero	Paralegal	4.5	\$325.00	\$1,462.50
BAW	Brigette A. Wolverton	Paralegal	0.4	\$280.00	\$112.00

DISBURSEMENTS

Date	Description of Disbursements	Amount
10/15/2019	eDiscovery Exp - Sept. 2019 [.01]	\$1.58
10/16/2019	Pacer Charges - BAW Usage 7/1/19 - 9/30/19 [.01]	\$744.00
10/16/2019	Pacer Charges - CG Usage 7/1/19 - 9/30/19 [.01]	\$40.80
10/16/2019	Pacer Charges - JAL Usage 7/1/19 - 9/30/19 [.01]	\$9.60
10/31/2019	Database Research Westlaw - JPW 10/31/19 [.01]	\$85.40
10/31/2019	Database Research Westlaw - JPW 10/31/19 [.01]	\$85.40
Total Disbursements		\$966.78
Total Services		\$11,884.50
Total Disbursements		\$966.78
Total Current Charges		\$12,851.28

EXHIBIT B



Order Filed on November 9, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
**Caption in Compliance with D.N.J. LBR
9004-1**

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*Proposed Local Counsel for the Official
Committee of Asbestos Claimants*

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

DURO DYNE NATIONAL CORP., *et al.*,

Debtors.¹

Chapter 11

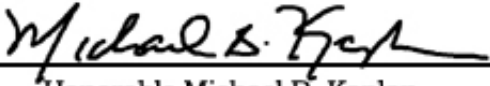
Case No. 18-27963 (MBK)

(Jointly Administered)

**[PROPOSED] ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF
CAPLIN & DRYSDALE, CHARTERED, AS THE COMMITTEE'S COUNSEL,
EFFECTIVE *NUNC PRO TUNC* AS OF SEPTEMBER 26, 2018**

The relief set forth on the following pages, numbered two (2) through and including three (3), is
hereby **ORDERED**.

DATED: November 9, 2018


Honorable Michael B. Kaplan
United States Bankruptcy Judge

Page: 2
Debtor: Duro Dyne National Corp., *et al.*
Case No.: 18-27963 (MBK)
Caption: Order Authorizing the Employment and Retention of Caplin & Drysdale, Chartered, as the Committee's Counsel, Effective *Nunc Pro Tunc* as of September 26, 2018

Before this Court is the *Application of the Official Committee of Asbestos Claimants for an Order Authorizing the Employment and Retention of Caplin & Drysdale, Chartered, as the Committee's Counsel, Effective Nunc Pro Tunc as of September 26, 2018* (the “**Application**”), which was filed by the Official Committee of Asbestos Claimants (the “**Committee**”) on October 29, 2018. Based on the record herein, and after due deliberation thereon, this Court finds and concludes that (i) the law firm of Caplin & Drysdale, Chartered (“**Caplin & Drysdale**”), does not represent any entity having an interest adverse to the Committee or to the asbestos-related creditors of the Debtors’ estates in connection with the matters for which the Committee proposes to employ Caplin & Drysdale; (ii) Caplin & Drysdale is a “disinterested person” pursuant to §§ 101(14) and 328(c) of the Bankruptcy Code; (iii) proper and adequate notice of the Application has been given and no other or further notice is necessary; and (iv) the Committee’s employment and retention of Caplin & Drysdale as its counsel should be approved. Accordingly, **IT IS HEREBY ORDERED**, that:

1. The Application is granted and approved;
2. The Committee is authorized to employ and retain Caplin & Drysdale as its counsel on the terms set forth in the Application, pursuant to §§ 328 and 1103 of the Bankruptcy Code, effective *nunc pro tunc* as of September 26, 2018;
3. Caplin & Drysdale shall be compensated in accordance with the procedures set forth in §§ 330 and 331 of the Bankruptcy Code, the applicable Federal Rules of Bankruptcy Procedure, the orders and rules of this Court, and such other procedures as may be fixed by order of this Court;

Page: 3
Debtor: Duro Dyne National Corp., *et al.*
Case No.: 18-27963 (MBK)
Caption: Order Authorizing the Employment and Retention of Caplin & Drysdale, Chartered, as the Committee's Counsel, Effective *Nunc Pro Tunc* as of September 26, 2018

4. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Application or otherwise waived;

5. This Order shall be immediately effective and enforceable upon its entry; and

6. The Court shall retain jurisdiction with respect to all matters arising or related to the implementation of this order.